

and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that the article was in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions named therein.

On March 12, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16397. Misbranding of laxative Cold Fix tablets. U. S. v. 28 Packages of Laxative Cold Fix Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23417. I. S. No. 03593. S. No. 1569.)

On February 18, 1929, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 28 packages of laxative Cold Fix tablets, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Corn Fix Co., from Newark, N. J., on or about August 28, 1928, and transported from the State of New Jersey into the State of New York, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it contained acetanilide (1.00 grain per tablet), cinchonine sulphate (0.134 grain per tablet), aloin, and camphor.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article, borne on the carton and in the accompanying circular, "La Grippe * * * For * * * La Grippe * * * Loss of Appetite, etc.," (circular) "Colds with constipation and headache * * * when neglected they often lead to much more serious ailments, a few of which may be Tuberculosis, Pneumonia, serious nervous disorders, kidney trouble, etc. * * * Highly Recommended for * * * Loss of Appetite, Etc. It is not necessary for you to wait until you are suffering with * * * La Grippe * * * but they are recommended very highly for * * * loss of Appetite, etc. Try them for these troubles," were false and fraudulent in that the said article contained no ingredients or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that the article was in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions named therein.

On March 9, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16398. Misbranding of Mistura creosote compound. U. S. v. 4 Dozen Packages of Mistura Creosote Compound. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 23388. I. S. No. 03096. S. No. 1557.)

On or about February 12, 1929, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 4 dozen packages of Mistura creosote compound, remaining in the original unbroken packages at New Haven, Conn., alleging that the article had been shipped by Charles Killgore, New York, N. Y., on or about January 14, 1929, and transported from the State of New York into the State of Connecticut, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of creosote, alcohol (27.7 per cent), sugar, and water.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article were false and fraudulent, (label) "For the treatment of phthisis. It is especially valuable in bronchitis, influenza, and chronic coughs. * * * For

persistent coughs in Bronchitis and Catarrhal conditions caused by the germ laden mucous from the nasal passages running down in the throat and producing a severe coughing spell especially at night when lying down. Put two teaspoonfuls of the Mistura Creosote Comp. and ten tablespoonfuls of water in a bottle and mix well. One tablespoonful of this mixture swallowed slowly when a coughing spell comes on will give prompt relief," (carton) "For the treatment of Phthisis. It is especially valuable in Bronchitis, Influenza, and Chronic Coughs * * * in the treatment of Phthisis and all affections of the Bronchial Tubes * * * defertilizes the lung tissue and renders it an unfavorable soil for the growth and development of micro-organism. * * * Digestive processes are strengthened * * * In Chronic Coughs and Pleurisy, pains following Grip, it has been found valuable," in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that the article was in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions named therein.

On April 23, 1929, by consent of the claimant, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16399. Adulteration and misbranding of atropine sulphate tablets, acetphenetidin tablets, quinine sulphate tablets, cocaine hydrochloride tablets, nitroglycerin tablets, phenylcinchoninic acid tablets, tincture cinchona compound, tincture of aconite, calomel and phenolphthalein tablets, arsenous acid tablets, and tablets Bland modified, and adulteration of pituitary extract. U. S. v. The Pharmacal Products Co. (Inc.). Plea of nolo contendere. Fine, \$60 and costs. (F. & D. No. 22568. I. S. Nos. 5926-x, 5927-x, 5928-x, 5933-x, 5936-x, 13678-x, 13680-x, 13682-x, 13684-x, 13688-x, 13690-x, 13825-x, 16027-x, 16028-x.)

On July 10, 1928, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Pharmacal Products Co. (Inc.), Easton, Md., alleging shipment by said company, in violation of the food and drugs act, on or about September 10, 1926, from the State of Maryland into the State of Pennsylvania, of a quantity of pituitary extract which was adulterated, and of quantities of nitroglycerin tablets, quinine sulphate tablets, phenylcinchoninic acid tablets, tincture cinchona compound, and tincture of aconite, which were adulterated and misbranded; on or about November 25, 1926, from the State of Maryland into the State of New Jersey, of quantities of calomel and phenolphthalein tablets, arsenous acid tablets, and Bland modified tablets; and on or about January 26, 1927, from the State of Maryland into the State of New York, of quantities of atropine sulphate tablets, acetphenetidin tablets, quinine sulphate tablets, cocaine hydrochloride tablets, and nitroglycerin tablets, which were adulterated and misbranded. The articles were labeled in part, variously: "Atropine Sulphate 1-100 Gr. Pharmacal Products Co. Manufacturing Pharmacists Easton, Maryland;" "Compressed Tablets Acetphenetidin 1-Gr.;" "Compressed Tablets * * * Quinine Sulphate * * * 2 Grains;" "Moulded Tablets Cocaine Hydrochloride 1.14 gr. each;" "Soluble Hypodermic Tablets Nitroglycerin 1/50 Grain;" "Compressed Tablets Nitroglycerine 1/100 Grain;" "Compressed Tablets * * * Quinine Sulphate 5 Grains;" "Compressed Tablets Phenylcinchoninic Acid 7½ Grs.;" "Tincture Cinchona Compound U. S. P. * * * 100 mls contain from 0.4 gm., to 0.5 gm., Alkaloids of Cinchona;" "Ampoules Pituitary Extract (Obstetrical);" "Tincture of Aconite Tinctura Aconiti U. S. P.;" "Compressed Tablets Calomel and Phenolphthalein Calomel 1-10 gr., Phenolphthalein 1-10 gr.;" "Compressed Tablets Arsenous Acid 1-30 Grain;" "Compressed Tablets No. 1140 Bland Modified * * * Arsenous Acid 1-40 gr."

Adulteration of the said tablets was alleged in substance in the information, for the reason that their strength and purity fell below the professed standard and quality under which they were sold in that each of the said atropine sulphate tablets was represented to contain 1/100 grain of atropine sulphate, whereas each of said tablets contained less than so represented, to wit, not more than 0.00685 grain, i. e., 1/150 grain of atropine sulphate; each